REMARKS

Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

A.   <u>Status of the Claims And Explanation Of Amendments</u>

Claims 1-12 are pending in this application. At the outset, the Examiner is thanked for the indication of allowable subject matter in claims 4, and 6-9. These claims were, however, objected to as being dependent upon a rejected base claim. Claims 1-3, 5 and 10-12 were rejected pursuant to 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,246,833 to Harada ("Harada").

B.   <u>Claims 1-12 Are Patentably Distinguished From Harada</u>

Applicants' respectfully traverse the rejections of claims 1-3, 5 and 10-12. As all of the claimed elements are not shown in Harada, the rejection should be withdrawn. *See* MPEP 2131 at 2100-73 ("To anticipate a claim, the reference must teach every element of the claim"). Applicants' independent claim 1 recites:

An image taking lens system provided, in succession from an object side to an image side, with:

a first lens unit adapted to be not moved for focusing;

a second lens unit adapted to be moved to the image side in case of focusing from an infinity object to a short-distance object;

a third lens unit adapted to be moved to the object side in case of the focusing from the infinity object to the short-distance object; and

a fourth lens unit;

wherein a principal point interval between said first lens unit and said second lens unit is a negative value.

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Harada is directed to a photographic lens and photographic apparatus having the same. Harada's photographic lens comprises, in order from an object side to an image side, a first lens unit L1 of positive refractive power, a second lens unit L2 of negative refractive power, a third lens unit L3 of positive refractive power and a fourth lens unit L4 of negative refractive power in a first embodiment. *See, e.g.,* Figures 1A, 1B, 5A and 5B. In a second embodiment, Harada's photographic lens comprises, in order from an object side to an image side, a first lens unit L1 of positive refractive power, a second lens unit L2 of negative refractive power, a third lens unit L3 of positive refractive power and a fourth lens unit L4 of positive refractive power. *See, e.g.,* Figures 11A, 11B, 14A and 14B. In the both embodiments, the first lens unit L1 remains stationary, the second lens unit L2 axially moves toward the image side during focusing from an infinitely distant object to a minimum-distance object. Col. 4, lns. 44-51 and Col. 11, lns. 4-11.

There is no explicit teaching in Harada of "a principal point interval between said first lens unit and said lens unit is a negative value" as recited in Applicants' claim 1. The Office Action, however, indicates that "it is inherent that the principal point interval between the first lens unit and the second lens unit is a negative value; this being reasonably based upon the similarity is [sic] structure between Harada and the claimed invention."

This assumption of inherency is in error. The first full paragraph of Applicants' page 7, beginning at line 7 of the original specification, describes that "[T]he principal point interval between the first lens unit G1 and the second lens unit G2 *is a negative value.* That is, the object side principal point of the second lens unit G2 is located more adjacent to the object side than the image side principal point of the first lens unit G1. By arranging the elements as described, while variation of aberrations caused during focusing is suppressed, wide angle of

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view is realized." We understand, as shown in the table below, that Applicants' principal

intervals are negative in a case in which the image taking lens is in focus on the infinity object:

Embodiment	**1**	**2**	**3**	**4**	**5**
Interval	-35.38	-15.26	-21.86	-31.22	-36.60

By contrast, we understand that the principal intervals between the first lens unit

(L1) and the second lens unit (L2) of Harada are positive:

Embodiment	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**
Interval	15.83	15.85	23.75	13.01	17.98	12.15	9.41	11.87	12.98

The values in the above tables have been calculated using the well-known "ray

tracing equation," which is, for example, described in the optical textbook, D.P. Feder, J. Opt.

Soc. Am., Vol. 41, p. 630 (1951).

Thus, Applicants' claim 1, which recites "a principal point interval between said

first lens unit and said second lens unit is a negative value," is patentably distinguished from

Harada. For at least similar reasons, independent claim 11 and dependent claims 2-10 and 12

also are believed to be patentably distinguished.

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CONCLUSION

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. <u>13-4500</u>, ORDER NO. <u>1232-5085</u>.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: <u>December 7, 2004</u>   By: _____

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